



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 16 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7011 2970 0003 2009 0414

Mr. Alex Lempert
Director, IEH Division
New York City School Construction Authority
30-30 Thomson Avenue
Long Island City, New York 11101-3045

Re: Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a) and Approval for Characterization and Verification Sampling under 40 CFR §761.61(c)

Dear Mr. Lempert:

This is in response to the March 16, 2016 Notification of Self-Implementing Onsite Cleanup and Disposal of PCB Remediation Waste (Notification), submitted by the New York City School Construction Authority (SCA). The Notification concerns SCA's plan to address polychlorinated biphenyl (PCB) contamination in the soil surrounding the main building at Intermediate School 7R, located at 1270 Huguenot Avenue, Staten Island, New York.

The Notification, along with the additional information provided in your electronic correspondence dated April 1, 2016 and May 26, 2016, will be referred to as the "Application". The PCB contaminated soil is considered to be PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed removal of the PCB remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on characterization sampling, the United States Environmental Protection Agency (EPA) finds that this sampling, in this proposed remediation context, is acceptable for delineating areas of the PCB remediation waste to be addressed. The EPA also finds that SCA's plan for verification sampling is acceptable for purposes of determining compliance with the PCB cleanup standards for high occupancy areas of 1 part per million (unrestricted) and 10 parts per million (with implementation of a cap and deed restriction meeting the requirements of 40 CFR §761.61(a)(7) and (a)(8), respectively).

EPA hereby approves SCA's Application and it may proceed with the cleanup and disposal under 40 CFR §761.61(a) and (c) and the Application, subject to this Approval. This Approval also constitutes an order under the authority of Section 6 of the Toxic Substances Control Act, 15 U.S.C. §2605.

Please note that this Approval does not constitute a determination by EPA that the transporters or the disposal facilities selected by SCA are authorized to conduct the activities set forth in the Application. SCA is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct any such activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please contact James S. Haklar at (732) 906-6817 or at haklar.james@epa.gov.

Sincerely yours,

For Kateri Malone - Deputy

Dore LaPosta, Director
Division of Enforcement and Compliance Assistance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JUN 21 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7011 2970 0003 2009 0421

Mr. Alex Lempert
Director, IEH Division
New York City School Construction Authority
30-30 Thomson Avenue
Long Island City, New York 11101-3045

Re: Approvals for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a) and Approvals for Characterization and Verification Sampling under 40 CFR §761.61(c)

Dear Mr. Lempert:

This is in response to the April 26, 2016 Notifications of Self-Implementing Onsite Cleanup and Disposal of PCB Remediation Waste (Notifications), submitted by the New York City School Construction Authority (SCA). The Notifications concern SCA's plans to address polychlorinated biphenyl (PCB) contamination in the soil at the following schools.

School	Address
Public School 1K	309 47 th Street, Brooklyn, New York
Public School 68Q	59-09 Saint Felix Avenue, Queens, New York
Public School 327K	111 Bristol Street, Brooklyn, New York
Junior High School 126K	424 Leonard Street, Brooklyn, New York

The Notifications for Public School 327K and Junior High School 126K were amended through submittal of additional information in your electronic correspondence dated June 10, 2016. The Notification for Junior High School 126K was further amended through submittal of information in your electronic correspondence dated June 15, 2016.

The Notifications, along with the additional information provided on June 10, 2016 and June 15, 2016, will be referred to as the "Applications". The PCB contaminated soil is considered to be PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed removal of the PCB remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on characterization sampling, the United States Environmental Protection Agency (EPA) finds that this sampling, in this proposed remediation context, is acceptable for delineating areas

of the PCB remediation waste to be addressed. The EPA also finds that SCA's plans for verification sampling are acceptable for purposes of determining compliance with the PCB cleanup standards for high occupancy areas of 1 part per million (unrestricted) and 10 parts per million (with implementation of a cap and deed restriction meeting the requirements of 40 CFR §761.61(a)(7) and (a)(8), respectively).

EPA hereby approves SCA's Applications, and it may proceed with cleanup and disposal at the aforementioned schools under 40 CFR §761.61(a) and (c) and the Applications, subject to each of these Approvals. These Approvals also constitute orders under the authority of Section 6 of the Toxic Substances Control Act, 15 U.S.C. §2605.

Please note that these Approvals do not constitute a determination by EPA that the transporters or the disposal facilities selected by SCA are authorized to conduct the activities set forth in the Applications. SCA is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct any such activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please contact James S. Haklar at (732) 906-6817 or at haklar.james@epa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dore LaPosta", with a stylized flourish at the end.

Dore LaPosta, Director
Division of Enforcement and Compliance Assistance